(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property Organization International Bureau

(43) International Publication Date

24 December 2003 (24.12.2003)



PCT

(10) International Publication Number WO 2003/105568 A3

(51) International Patent Classification⁷: 1/04, 5/00, 5/08, 5/10

A01H 1/00,

(21) International Application Number:

PCT/US2003/018122

(22) International Filing Date:

6 June 2003 (06.06.2003)

(25) Filing Language:

English

(26) Publication Language:

English

(30) Priority Data: 60/389,061

14 June 2002 (14.06.2002)

- (71) Applicant (for all designated States except US): SYN-GENTA PARTICIPATIONS AG [CH/CH]; Schwarzwaldallee 215, CH-4058 Basel (CH).
- (72) Inventors; and
- (75) Inventors/Applicants (for US only): WILLITS, Michael, G. [US/US]; 804 Winter Hill Drive, Apex, NC 27502 (US). DELUCA, Vincenzo [CA/CA]; Fonthill Canada, 30 Vinemount, Fonthill, Canada LOS 1E2, Ontario, Canada (CA). GRASER, Gerson [DE/US]; Cary, North Carolina, 210 Castle Hayne Drive, Cary, NC 27502 (US). KRAMER, Catherine, M. [US/US]; Hillsborough, North Carolina, 6835 Carol Lane, Hillborough, NC 27278 (US). PRATA, Rogerio, T.N. [BR/US]; Chapel Hill, North Carolina, 201 Cheaspeake Way, Chapel Hill, NC 27516 (US).
- (74) Common Representative: STULTS, Larry et al.; SYN-GENTA BIOTECHNOLOGY INC., Patent Department, 3054 Cornwalli Road, Research Triangle Park, NC 27709 (US).

- (81) Designated States (national): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NI, NO, NZ, OM, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.
- (84) Designated States (regional): ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, RO, SE, SI, SK, TR), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

Declaration under Rule 4.17:

of inventorship (Rule 4.17(iv)) for US only

Published:

- with international search report
- before the expiration of the time limit for amending the claims and to be republished in the event of receipt of amendments
- (88) Date of publication of the international search report: 23 September 2004

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(54) Title: FLAVONOL EXPRESSING DOMESTICATED TOMATO AND METHOD OF PRODUCTION

(57) Abstract: The present invention includes non-transgenic domesticated tomato plants that express flavonols in the flesh and peel of the tomato fruit, and includes the seeds and fruits of such plants. The method of the invention includes assaying tomato plants or expression of one or more of the flavonol biosynthesis genes in the flesh and/or expression of CHI in the peel. The method of the invention includes selecting wild tomato species that express CHI in the fruit peel, and/or one or more genes of the flavonol biosynthesis pathway in the flesh, and introgressing the genetic factors responsible for this expression from the wild tomato species into a domesticated tomato plant using traditional breeding techniques.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US03/18122

A. CLASSIFICATION OF SUBJECT MATTER IPC(7) : A01H 1/00, 1/04, 5/00, 5/08, 5/10						
US CL : 800/260, 266, 269, 317.4						
According to	According to International Patent Classification (IPC) or to both national classification and IPC					
	DS SEARCHED					
Minimum documentation searched (classification system followed by classification symbols) U.S.: 800/260, 266, 269, 317.4						
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched						
Electronic data base consulted during the international search (name of data base and, where practicable, search terms used) Please See Continuation Sheet						
C. DOCUMENTS CONSIDERED TO BE RELEVANT						
Category *	Citation of document, with indication, where ap		Relevant to claim No.			
Y Y	STEWART, A.J. et al. Occurence of Flavonols in Tomatoes and Tomato-Based Products. J. Agric. Food Chem. 2000, Vol. 48, pages 2663-2669; see page 2666-2668, Tables 1-5. MUIR, S.R. et al. Overexpression of petunia chalcone isomerase in tomato results in fruit containing increased levels of flavonols. Nature Biotechnology. May 2001, Vol. 19, pages					
X, P BOVY A. et al. High-Flavonol Tomatoes Resulting f the Maize Transcription Factor Genes LC and C1. T pages 2509-2526; see page 2510, column 2, lines 21-		from the Heterologous Expression of The Plant Cell. October 2002, Vol. 14,	1-36			
X, P	VERHOEYEN, M.E. et al. Increasing antioxidant l of the flavonoid biosynthetic pathway. J. of Exp. B 377, pages 2099-2106; see page 2100, column 1 lin column 2 line 8; page 2103 column 2 lines 32-49.	otany. October 2002, Vol. 53, No.	1-36			
Further	documents are listed in the continuation of Box C.	See patent family annex.				
"A" document	pecial categories of cited documents: defining the general state of the art which is not considered to be	"T" later document published after the int date and not in conflict with the appli principle or theory underlying the inv	cation but cited to understand the ention			
"E" earlier ap	plication or patent published on or after the international filing date	"X" document of particular relevance; the considered novel or cannot be considered when the document is taken alone	craimed invention cannot be ered to involve an inventive step			
establish specified)		"Y" document of particular relevance; the considered to involve an inventive ste combined with one or more other suc	p when the document is h documents, such combination			
"O" document referring to an oral disclosure, use, exhibition or other means		being obvious to a person skilled in the	e art			
	published prior to the international filing date but later than the late claimed $$	"&" document member of the same patent	family			
Date of the actual completion of the international search Date of mailing of the international search report L AUG 2004						
	4 (09.06.2004)	Authorized officer				
Mail Stop PCT, Attn: ISA/US Commissioner for Patents		Authorized officer Russell Kallis J. Roberts Jo				
Ale	D. Box 1450 xxandria, Virginia 22313-1450 xxandria, 872-906	Telephone No. (571) 272-1600	V			

Facsimile No. (703) 872-906
Form PCT/ISA/210 (second sheet) (July 1998)

INTERNATIONAL SEARCH REPORT	
Continuation of B. FIELDS SEARCHED Item 3: STN: agricola, biosis, embase, caplus WEST	
	·
	•

Form PCT/ISA/210 (second sheet) (July 1998)

PCT/US03/18122